

Serial No. 10/566,960
Examiner Joseph S. Leyson
Group Art Unit 1791

STATUS OF CLAIMS

Claims 1-8, 10-14, 17-21 and 23 are now pending. Claims 1, 11 and 20 are the independent claims. Claims 9, 15, 16 and 22 have been canceled herein.

Claim 11 has been amended to correct a typographical error, thus addressing the Examiner's objection on Page 2 of the Office Action. The Examiner's objections to Claims 9 and 22 are rendered moot by the cancellation of those claims herein.

Support for the amendments to Claims 1, 11 and 20 are found throughout the specification and original claims; no new matter has been added.

REMARKS

Rejection of the claims under 35 U.S.C. §112, first paragraph

Claims 1-10, 15-17, 22 and 23 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In light of the foregoing claim amendments and cancellations (Claim 1 amended to recite "a water passage is provided near at a periphery of each of said molding blocks", and Claims 9, 15, 16 and 22 have been canceled), this rejection is believed to be rendered moot, and therefore is respectfully traversed.

Rejection of the claims under 35 U.S.C. §102(b)

Claims 11-14 and 19-22 were rejected under 35 U.S.C. §102(b) as being anticipated by Gatto (US 3,538,210, "Gatto"). This rejection is made moot relative to Claim 22 in view of the cancellation of that claim herein. In view of the foregoing claim amendments and the following discussion, this rejection, relative to the remaining pending claims, is respectfully traversed.

As recited in each of amended independent Claims 11 and 20, the present invention includes a new cooling and molding tank in which a water passage is provided at the periphery of each of the molding blocks and an internal cavity is provided in each of the water collection plates such that the cooling water flows through the tank in a periphery-inner circle-periphery pattern. Applicant respectfully submits that none of the cited references has disclosed the above features.

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In particular, the Applicant does not agree with the assertion of the Examiner that Gatto (US 3,538,210) has disclosed the above feature (see the bottom of Page 4 of the Office Action). In Figs. 1-4 of Gatto, the "molding blocks" 55, 57, 59, 61, 63 and the "water collection plates" 56, 58, 60, 62 64 are submerged in the cooling water, and the applicant cannot determine how a water flow can be formed in a periphery-inner circle-periphery pattern, as asserted by the Examiner. As noted at col. 5, lines 71-72 of Gatto, with regard to "a plurality of longitudinally spaced sizing plates or discs 55-66", "each of which has a central aperture 67 therein". The Action takes the position that since "cooling water is allowed to flow around the periphery of the molding blocks and the water collection plates and to flow through the gap therein", "as water flows from the front end of block 43 to the rear end block 44, water *can flow in a periphery-inner circle-periphery pattern*". Applicant respectfully traverses this assertion, and submits that there is absolutely no such teaching, or even suggestion in Gatto, and that water flow through the Gatto thermoplastic tubing would *not flow* "through the tank in a periphery-inner circle-periphery pattern" when each of the sizing plates or discs each has a central aperture.

Should this rejection be maintained, further clarification as to such assertion is respectfully requested.

Rejection of the claims under 35 U.S.C. §103(a)

Claims 1-4 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto in view of Racioppi et al. (US 5,780,071, "Racioppi") and Dorninger (US 5,505,058, "Dorninger"). This rejection is made moot relative to Claim 9 in view of the cancellation of that claim herein.

Dependent Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto in view of Racioppi and Dorninger and further in view of Tucking et al. (US 3,717,426, "Tucking"). Dependent Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto in view of Racioppi and Dorninger and further in view of Kossl (US Pub. 2003/0219503, "Kossl"). Dependent Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto in view of Racioppi and Dorninger and further in view of Grassi (US 6,394,782, "Grassi"). Dependent Claims 15-17 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto in view of Wegmaier et al. (US 6,244,847, "Wegmaier"). This rejection is made moot relative to Claims 15 and 16 in view of the

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cancellation of those claims herein. Dependent Claim 18 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gatto. Each of the above rejections under §103(a) are respectfully traversed.

Dependent Claims 2-8, 10, 12-14, 17-19, 21 and 23 are believed patentable as depending from a patentable independent Claim 1, 11 or 20, and for reciting further distinguishing limitations thereover.

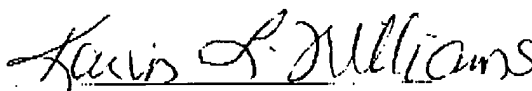
CONCLUSION

Applicant respectfully submits that all pending claims are in condition for allowance, early notification of which is earnestly solicited. Should the Examiner be of the view that an interview would expedite the application at large, request is made that the Examiner telephone the undersigned attorney at (908) 518-7700 in order to resolve any outstanding issues.

FEES

The Office is authorized to charge any fees required to deposit account number 50-1047.

Respectfully submitted,


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